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**STATE PROCUREMENT OFFICE
NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103D, HRS**

STATE PROCUREMENT OFFICE
STATE OF HAWAII

1. TO: Chief Procurement Officer
2. FROM: High Technology Development Corporation (HTDC)

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:

High Technology Development Corporation (HTDC) requests an exemption for sponsorship of telecom and communication technology related events, conferences, workshops, symposiums, marketing and public awareness events related to the Governor's Hawaii Broadband Initiative (HBI). The funds which we are requesting the exemption are to be transferred from DCCA's Special Fund and disbursed from HTDC's Special Fund

Background: Governor Abercrombie established the Hawaii Broadband Initiative via an Executive Memorandum dated August 23, 2011. The initiative aims to provide 1 gigabit symmetric access to all Hawaii homes and businesses. The Governor directed DBEDT and DCCA to lead the initiative. HTDC has been delegated by DBEDT to lead the marketing responsibilities and community outreach for this initiative. As the State's lead agency in assisting companies in the development of the technology sector, and acting as the bridge between the industry and the state government for policies that affect the growth of the innovation sector, HTDC's outreach and dissemination of information to technology companies and the larger community is a critical component in the planning and implementation of the comprehensive plan

4. Name of Vendor: Various

Address:

5. Price:

\$100,000 per annum

6.

Term of Contract: From: 11/15/2011 To: 11/15/2018

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: These funds will be used to sponsor events relevant to HBI, some of which will be with existing technology organizations while a large number will be initiated with yet to be determined organizations and events over the next several years as HBI activities gain momentum. In most situations, HTDC will become aware of opportunities little in advance and the window of opportunity to partner with these organizations may be very short. An advanced list of organizations cannot be provided. The normal procurement (solicitation) process is not practicable in these situations as the sponsorship is targeted to a specific event and organization, nor is it efficient to submit an exemption request for each opportunity as it arises. For reference, SPO had approved an exemption request for sponsorships .P.E. No. 10-048-K for another HTDC program.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

The first priority in identifying and sponsoring HBI related events will be to look within the community or in entities in which we as an organization are a member. HTDC will seek events and opportunities that accomplish the mission of HTDC's delegated responsibilities.

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
 1. Pre-approval obtained by Dept. Executive Director 2. Staff completes HTDC internal purchase request (PR) form 3. PR form routes to Executive Director for signature 4. Staff obtains State vendor code or process info to obtain vendor code 6. HTDC obtains flyers and marketing materials and helps market 7. Attend event 8. Complete write-up of event for DBEDT report 9. Request invoice after the event for DBEDT 10. Compose acknowledgment letter of fulfillment of scope of work.

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:

Name	Position	Involvement in Process	
Yuka Nagashima	Executive Director	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Steve Sakuda	Controller	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Michael Reisor	Executive Secretary	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Sandi Kanemori	Contracts Specialist	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to: Department: HTDC
 Contact Name: Yuka Nagashima
 Phone Number: 539-3601
 Fax Number: 237-5770

Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*

Department Head

Date

Reserved for SPO Use Only

15. Date Notice Posted 11/09/11

The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to: Chief Procurement Officer
 State Procurement Office
 P.O. Box 119
 Honolulu, Hawaii 96810-0119

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

Chief Procurement Officer's comments:

Request is disapproved as it lacks sufficient justification. For the purposes of public disclosure and transparency, awards/sponsorships relating to the Hawaii Broadband Initiative should be issued utilizing the appropriate method of procurement. To allow all interested parties the equal opportunity to participate and request funding, the solicitation should disclose the department's intention for seeking proposals, including a description of the performance or benefit required, scope of parameters of the service/activity, terms and conditions, requirements of such sponsorships, estimated funding, criteria/evaluation factors, etc.

16.

☐

APPROVED

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DISAPPROVED

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NO ACTION REQUIRED


Chief Procurement Officer

11/22/2011
Date